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EXAMINER	
MARANDI, JAMES R	

ART UNIT	PAPER NUMBER
2421	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docket@splglaw.com

Office Action Summary	Application No.	Applicant(s)	
	10/630,069	ANDERSON ET AL.	
	Examiner	Art Unit	
	JAMES R. MARANDI	2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2,5,6,9,11,13,20,22,23 and 26-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2,5,6,9,11,13,20,22,23 and 26-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Appeal Brief

In view of the Appeal Brief filed on 4/9/2009, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) File a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/John W. Miller/

Supervisory Patent Examiner, Art Unit 2421

1. Claims 2, 5, 6, 9, 11, 13, 20, 22, 23 and 26-45 are presently pending. Claims 1, 3, 4, 7, 8, 10, 12, 14- 19, 21, 24 and 25 have been canceled.

2. Applicant's arguments with respect to claims 2, 5, 6, 9, 11, 13, 20, 22, 23 and 26-45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 6, 26, 35, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over S.L McClintock, USPN 5,598,208 (hereinafter "McClintock") in view of Sony Corporation's Video Walkman GV-S50 Operating Instructions (hereinafter "Sony S50").

4.1. Regarding claim 26, McClintock discloses **a portable handheld device to be used at an event by a user while watching the event live** (Fig. 9, 254, Col. 9, line 27 through Col. 10, line 5)**, the portable handheld device comprising:**

a receiver to receive video content transmitted to the receiver (signals are transmitted wirelessly from 258, 260, 262, and 264 to the receiving and control station. The portable unit, Video Walkman, connects to this receiver via 256)**, the video content being generated by a plurality of cameras located at the event, the video content relating to the event** (as shown in Fig. 9, the cameras 258, 260, 262,and 264 are at the event and transmitting related events)**;**

a user interface having inputs to permit a user to select the video content from at least one of the plurality of cameras and having an input to permit the user to select (Fig. 10 shows the selection and input mechanism, where the user of 254 is enabled to choose amongst various camera views)**, for storage in the device** (by selecting buttons 268, the selected view will be stored on the video walkman's storage medium)**, a user-designated portion of the video content from the selected one of the plurality of cameras** (selection of 268 triggers storage of designated video from selected camera)**;**

a processor selectably operated by a user to select video content from at least one of the plurality of cameras (254 has a processor operating interfaces shown in Fig. 10, whereby pushing start/stop buttons associated with various CAM views selects corresponding view)**;**

a display to display video content from at least one of the plurality of cameras selected by the user (Video walkman 254 has a display, Fig. 10 shows a split screen of said display)**, wherein the receiver is configured to receive the video content while at the event and where the event is occurring** (user 252 is at the event, receiving videos as shown in split screen 266)**, thereby permitting the user to carry the portable handheld device about the event and choose where to view the video content selected by the user while roaming at the event during the event** (a video walkman 254 is portable and can be moved around so the user may view recorded content at the place of his/her choosing)**; and**

a memory component to store a user-designated portion of the video content (video Walkman recording medium, e.g. Hi-8 tape)**, wherein the user-designated portion of the video content to be stored in the memory component is selected and entered by the user through the user interface** (video selected via interface 266, and recorded by selecting 268 controls).

McClintock discloses the portable handheld device to be a Video Walkman®. He is not explicit as to Walkman® wirelessly receiving video content. However, Sony S 50 discloses an interface enabled to accept a portable tuner (TGV-3) for tuning to various broadcast signals. (See pages 10 and 27)

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock with Sony S50 invention, to receive video signals wirelessly in order to enhance the mobility of the viewer/ spectator.

4.1.1. Regarding claim 6, **wherein the memory component is a removable memory module configured to allow for downloading of the stored user-designated portion of the event content to an external device**, the system of McClintock and Sony S50 has a Hi-8 recording media which may be ejected and inserted into a different external player/ recorder .

4.1.2. Regarding claim 35, the system of McClintock and Sony S50 discloses **wherein the receiver wirelessly receives live remote event-related video content generated at a remote event and relating to the remote event, the remote event occurring simultaneously with the local event, the remote event occurring at a venue remote from the local event, the display displaying the live remote event-related video content when selected at the user interface**, as Sony S50's TGV-3 tuner is enabled to receive and tune to channels from cameras within the local venue and

channels offering programs from other venues. Selection and display of channels (remote or local) are the same as disclosed in McClintock's Fig. 10.

4.1.2.1. Regarding claim 40, the system of McClintock and Sony S50 discloses, **wherein the local and remote events both constitute a common type of sporting events**, as the user decides which channels to tune to via TGV-3, the user is enabled to select a team/ game type (e.g. if they are already at a football game) and the user wants to follow another team, In order to be kept informed of divisional, playoff status, or keep track of rival teams (for office pool!).

4.1.2.2. Claim 41 is rejected as claim 40, as the user may select any game including **football**.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over McClintock, in view of Sony S50, further in view of M.J. Freeman et al., USPN 7,448,063 (hereinafter "Freeman").

5.1. Regarding claim 2, **wherein the receiver is configured to receive audio signals relating to the event, and further comprising an audio component configured to provide event content for listening based upon at least one of the audio signals selected by a user**, in the system of McClintock and Sony S50, selection of the camera also selects the audio associated with the said camera and the user is not enabled to select any other audio to go with the selected video signal.

However, Freeman, in analogous art, presents the user (via menu controls) with a selection of audio associated with the venue that is then multiplexed with the desired video and sent to the user terminal (Fig. 1, 10, 115, 120; Col. 3, lines 28-32; Col. 6, lines 20- 40; Fig. 2, Col. 7, lines 33- 40).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Freeman's invention, in order to further personalize the content of the program with video, audio, and data selected to match user desires.

6. Claims 5, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClintock, in view of Sony S50, further in view of A. Miron et al., USPN 4,665,438 (hereinafter "Miron")

6.1. Regarding claim 5, **wherein the memory component is controlled by the user interface to access and replay the stored user- designated portion of the event related video content on the display, thereby permitting the user to review again and again, as desired, the stored user-designated portion of the video content independent of new live video content received by the receiver,** McClintock discloses that the video Walkman is enabled to show the pre- recorded content along with live programming in a PIP mode (Col. 5, line 66 through Col. 6, line 4). The system of McClintock and Sony S50 is not explicit in offering the user the capability of watching the previously recorded program, on the local memory of the Walkman, while viewing the live event on the display.

However, Miron discloses that PIP enables the viewer to simultaneously watch one program tuned to externally (e.g. live channel) while viewing a second program from another source, such as VCR (Col. 3, lines 19- 26).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of inventions, to modify the system of McClintock and Sony S50 with Miron's

invention in order to allow the viewer to not only watch the live program (from desired angles) but also view previously recorded content at the same time.

6.2. Regarding claim 30, the system of McClintock, Sony S50, and Miron discloses that **the portable wireless handheld device comprise**s an **optics system to detect user-controlled video content separate and independent from the video content produced by the plurality of cameras and received by the receiver,** as the system is enabled to recognize user controlled video content, what is already recorded by the user, and display it is a window other than content offered by others in a different window frame using PIP technology.

7. Claims 9, 11, 13, 20 , 22, 27-29, 31-34, 36-39, and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over McClintock, in view of Sony S50, further in view of S.L. Kelly, USPN 5,986,803 (hereinafter "Kelly").

7.1. Regarding claim 9, the system of McClintock and Sony S50 is a video viewer/ player; therefore it does not disclose wherein **the processor operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode, a digital camera mode and a camcorder mode**.

However, Kelly discloses a modular reconfigurable electronic imaging system (Abstract, Fig. 2), where a **processor** (108) **operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode** (148, also display module 118 is enabled to display content from any module of the system)**, a digital camera mode** (120) **and a camcorder mode** (122). Col. 7 line 18 through Col. 8, line 14.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Kelly's invention, in order to have a "Swiss Army knife" version of a camcorder, video player, binocular in a compact form to offer the viewer multiple functionalities.

7.2. Regarding claim11, as analyzed in claim 9, the portable wireless handheld device of McClintock, Sony S50, and Kelly has a digital camera. Digital cameras have **optics systems provided as part of a housing to capture images of the event when directed toward the event** at the user's command.

7.3. Regarding claim 13, the system of McClintock, Sony S50, and Kelly is not explicit in **the optics system comprising a charge coupled device** (CCD) **and being configured to provide a plurality of magnified modes of operation**. However the use of CCD in digital cameras in notoriously well known as they provide a lightweight and inexpensive alternative to mechanical movement of the lens for tilt, pan, and zoom operation.

7.4. Regarding claim 20, the system of McClintock, Sony S50, and Kelly discloses that **the portable wireless handheld device** has a display (124), **wherein the display is configured for viewing by a user when engaged with the user's face** (display 124 is viewed by the user engaging their face to the device 100, putting their eyes to 132.

7.5. Regarding claim 27, the system of McClintock, Sony S50, and Kelly discloses that **the user interface permits the user to selectively store single individual images, to be reviewed again and again on the display as desired by the user,** Kelly: electronic camera module 120 is operable to take pictures for repeated viewing as desired by the user.

7.6. Regarding claim 28, the system of McClintock, Sony S50, and Kelly discloses **an optics system that, when directed toward the event, provides binocular functionality, the display displaying video content from the receiver when in a video viewer mode and a magnified view of the event as detected by the optics system when in a binocular mode** (Kelly, Col. 6, lines 54- 65).

7.7. Regarding claim 29, the system of McClintock, Sony S50, and Kelly discloses **an optics system that, when directed toward the event, provides binocular functionality** (as analyzed in claim 28, Kelly, Col. 6, lines 54- 65)**, the display displaying a magnified view of the event as detected by the optics system when in a binocular mode, the user interface including inputs to select between different magnification levels at which the magnified view of the event is presented on the display** (as analyzed in claim 13, digital cameras/ binoculars are notoriously well known to be equipped with optics systems (CCD) allowing the user to pan, tilt, zoom at will, as CCDs provide a lightweight and inexpensive alternative to mechanical movement of the lens to achieve the same effect.

7.8. Regarding claim 31, McClintock discloses **a portable handheld device to be used at a local event** (the user 254 is at the racing venue of Fig. 9, therefore he/she is local to the event) **by a user while watching the local event live** (Fig. 9, 254, Col. 9, line 27 through Col. 10, line 5)**, the portable handheld device comprising:**

a receiver to receive video content transmitted to the receiver (signals are transmitted wirelessly from 258, 260, 262, and 264 to the receiving and control station. The portable unit, Video Walkman, connects to this receiver via 256)**, the video content being generated by a plurality of cameras located at the local event, the video content relating to the local event** (as shown in Fig. 9, the cameras 258, 260, 262,and 264 are at the event and transmitting related events)**;**

a user interface having inputs to permit a user to select the video content from at least one of the plurality of cameras (Fig. 10 shows the selection and input mechanism, where the user of 254 is enabled to choose amongst various camera views)**;**

a processor selectably operated by a user to select video content from at least one of the plurality of cameras (254 has a processor operating interfaces shown in Fig. 10, whereby pushing start/stop buttons associated with various CAM views selects corresponding view)**;**

a display to display video content from at least one of the plurality of cameras selected by the user (Video walkman 254 has a display, Fig. 10

shows a split screen of said display), **wherein the receiver is configured to receive the video content while at the local event and where the local event is occurring** (user 252 is at the event, receiving videos as shown in split screen 266), **thereby permitting the user to carry the portable handheld device about the local event and choose where to view the video content selected by the user while roaming at the local event during the local event** (a video walkman 254 is portable and can be moved around so the user may view recorded content at the place of his/her choosing).

McClintock discloses the portable handheld device to be a Video Walkman®. He is not explicit as to Walkman® **wirelessly** receiving video content. However, Sony S 50 discloses an interface enabled to accept a portable tuner (TGV-3) for tuning to various broadcast signals. (See pages 10 and 27)

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock with Sony S50 invention, to receive video signals wirelessly in order to enhance the mobility of the viewer/ spectator.

The system of McClintock and Sony 50S does not disclose:

an optics system that, when directed toward the local event, provides binocular functionality to produce magnified video content

separate and independent from the video content produced by the plurality of cameras and received by the receiver;

However, Kelly discloses a modular reconfigurable electronic imaging system (Abstract, Fig. 2), where a processor (108) operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode (148, also display module 118 is enabled to display content from any module of the system), a digital camera mode (120) and a camcorder mode (122). Col. 7 line 18 through Col. 8, line 14. As binocular, **when directed toward the local event, provides binocular functionality to produce magnified video content separate and independent from the video content produced by the plurality of cameras and received by the receiver** (Kelly, Col. 6, lines 54- 65); thereby such video is another video signal amongst signals fed to McClintock's Fig. 10 for **select**ion by the user and **display** as desired by the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Kelly's invention, in order to allow the user to zoom in on a particular scene, different than what is offered by other cameras at the venue, to enhance the user's personalized experience.

7.8.1. Regarding claim 22, the system of McClintock, Sony S50, and Kelly discloses, **wherein the processor is configured to provide conditional access to the event content based upon a unique access code,** as demonstrated by McClintock, the interface between the user equipment and the system may be secured by providing an alphanumeric keypad which is used to authorizes the user, through pre-issued PINs (code index), to select which camera to use (Col. 7, Lines 59- 62).

7.8.2. Regarding claim 36, the system of McClintock, Sony S50, and Kelly discloses **wherein the receiver wirelessly receives live remote event-related video content generated at a remote event and relating to the remote event, the remote event occurring simultaneously with the local event, the remote event occurring at a venue remote from the local event, the display displaying the live remote event-related video content when selected at the user interface,** as Sony S50's TGV-3 tuner is enabled to receive and tune to channels from cameras within the local venue and channels offering programs from other venues. Selection and display of channels (remote or local) are the same as disclosed in McClintock's Fig. 10.

7.8.2.1. Regarding claim 42, the system of McClintock, Sony S50, and Kelly discloses, **wherein the local and remote events both constitute a common type of sporting events**, as the user decides which channels to tune to via TGV-3, the user is enabled to select a team/ game type (e.g. if they are already at a football game) and the user wants to follow another team, In order to be kept informed of divisional, playoff status, or keep track of rival teams (for office pool!).

7.8.2.2. Claim 43 is rejected as claim 42, as the user may select any game including **football**.

7.9. Regarding claim 32, McClintock discloses **a portable handheld device to be used at a local event** (the user 254 is at the racing venue of Fig. 9, therefore he/she is local to the event) **by a user while watching the local event live** (Fig. 9, 254, Col. 9, line 27 through Col. 10, line 5)**, the portable handheld device comprising:**

a receiver to receive video content transmitted to the receiver (signals are transmitted wirelessly from 258, 260, 262, and 264 to the receiving and control station. The portable unit, Video Walkman, connects to this receiver via 256), **the video content being generated by a plurality of cameras located at**

the local event, the video content relating to the local event (as shown in Fig. 9, the cameras 258, 260, 262,and 264 are at the event and transmitting related events)**;**

a processor selectably operated by a user to select video content from at least one of the plurality of cameras (254 has a processor operating interfaces shown in Fig. 10, whereby pushing start/stop buttons associated with various CAM views selects corresponding view)**;**

a user interface having inputs to permit a user to select the video content from at least one of the plurality of cameras (Fig. 10 shows the selection and input mechanism, where the user of 254 is enabled to choose amongst various camera views)**;**

a display to display video content from at least one of the plurality of cameras selected by the user (Video walkman 254 has a display, Fig. 10 shows a split screen of said display)**, wherein the receiver is configured to receive the video content while at the local event and where the local event is occurring** (user 252 is at the event, receiving videos as shown in split screen 266)**, thereby permitting the user to carry the portable handheld device about the local event and choose where to view the video content selected by the user while roaming at the local event during the local event** (a video walkman 254 is portable and can be moved around so the user may view recorded content at the place of his/her choosing)**.**

McClintock discloses the portable handheld device to be a Video Walkman®. He is not explicit as to Walkman® **wirelessly** receiving video content. However, Sony S 50 discloses an interface enabled to accept a portable tuner (TGV-3) for tuning to various broadcast signals. (See pages 10 and 27)

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock with Sony S50 invention, to receive video signals wirelessly in order to enhance the mobility of the viewer/ spectator.

The system of McClintock and Sony 50S does not disclose:

a digital camera, provided in the handheld housing, for capturing at least one of images and video;

the user interface having inputs to operate the digital camera; and

the processor operating in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode, and a digital camera mode.

However, Kelly discloses a modular reconfigurable electronic imaging system (Abstract, Fig. 2), where **the processor** (108) **operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode** (148, also display module 118 is enabled to display content from any module of

the system), **a digital camera mode** (120) and a camcorder mode (122). Col. 7 line 18 through Col. 8, line 14. **A digital camera, provided in the handheld housing, for capturing at least one of images and video** (Kelly, Col. 6, lines 54- 65); **the user interface having inputs to operate the digital camera** (Fig. 2, 133,108); and thereby subject to control by McClintock's Fig. 10 for **select**ion by the user and **display** as desired by the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Kelly's invention, in order to allow the user to take pictures of the scenes different than what is offered by other cameras at the venue, to enhance the user's personalized experience.

7.9.1. Regarding claim 37, the system of McClintock, Sony S50, and Kelly discloses **wherein the receiver wirelessly receives live remote event-related video content generated at a remote event and relating to the remote event, the remote event occurring simultaneously with the local event, the remote event occurring at a venue remote from the local event, the display displaying the live remote event-related video content when selected at the user interface**, as Sony S50's TGV-3 tuner

is enabled to receive and tune to channels from cameras within the local venue and channels offering programs from other venues. Selection and display of channels (remote or local) are the same as disclosed in McClintock's Fig. 10.

7.9.2. Regarding claim 45, as analyzed in claim 32, the portable wireless handheld device of McClintock, Sony S50, and Kelly has a digital camera. Digital cameras have optics systems provided **as part of handheld housing to capture images of the event when directed toward the event** at the user's command.

The system of McClintock, Sony S50, and Kelly is not explicit in the optics system **comprising a charge coupled device** (CCD) and **being controlled by the processor to provide a zoom capability**. However the use of CCD in digital cameras was notoriously well known at the time of invention as they provide a lightweight and inexpensive alternative to mechanical movement of the lens for tilt, pan, and **zoom** operation.

7.10. Regarding claim 33, McClintock discloses **a portable handheld device to be used at a local event** (the user 254 is at the racing venue of Fig. 9, therefore he/she is local to the event) **by a user while watching the local event live** (Fig. 9, 254, Col. 9, line 27 through Col. 10, line 5)**, where a remote event occurs simultaneously with the local event, the remote event occurring at a venue remote from the local event** (there are multiple events, e.g. football games, held at various stadiums at the same time, across the country)**, the portable handheld device comprising:**

A handheld housing (254)**;**

a receiver to receive live local event- related video content (signals are transmitted wirelessly from 258, 260, 262, and 264 to the receiving and control station. The portable unit, Video Walkman, connects to this receiver via 256 and receives content related to the events at the local venue)**, the live local event-related video content being generated by a plurality of cameras located at the local event and relating to the local event** (as shown in Fig. 9, the cameras 258, 260, 262,and 264 are at the event and transmitting related events)**, wherein the receiver is configured to receive the live local video content while at the local event and where the local event is occurring** (user 252 is at the event, receiving videos as shown in split screen 266)**, thereby permitting the user to carry the portable handheld device about the local event and choose where to view the a selected one of live local event-related video content while roaming at the local event during the local**

event (a video walkman 254 is portable and can be moved around so the user may view recorded content at the place of his/her choosing)

a user interface, provided on the handheld housing, having inputs to permit a user to select amongst **the live local event-related video content** (Fig. 10 shows the selection and input mechanism, where the user of 254 is enabled to choose amongst various camera views)**;**

a display, the display displaying the live local event-related video content when selected by the user, the display displaying the at least one of video captured by the cameras when selected by the user (Video walkman 254 has a display, Fig. 10 shows a split screen of said display. And are selectable via interface 270 while displayed at 266)**,**

a processor , provided in the handheld housing, to control operation of the display based on inputs from the user through the user interface (254 has a processor operating interfaces shown in Fig. 10, whereby pushing start/stop buttons associated with various CAM views selects corresponding view)**;**

McClintock discloses the portable handheld device to be a Video Walkman®. He is not explicit as to Walkman® **wirelessly** receiving video content. Also, he does not disclose **a receiver provided in the handheld housing**, operable to receive and operate on **live remote event-related video content**.

However, Sony S 50 discloses an interface enabled to accept a portable tuner (TGV-3), whereby both GV-S50 and TGV-3 attach together to form one portable unit for tuning to various broadcast signals, thereby wirelessly receiving signals and tuning to channels remote to local venue. (See pages 10 and 27)

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock with Sony S50 invention, to receive video signals wirelessly from both local and remote venues and enable the user to select amongst local and remote signals in order to enhance the mobility of the viewer/ spectator while enhancing the user experience.

The system of McClintock and Sony 50S does not disclose:

a digital camera, provided in the handheld housing, for capturing at least one of images and video;

the user interface having inputs to operate the digital camera

However, Kelly discloses a modular reconfigurable electronic imaging system (Abstract, Fig. 2), where the processor (108) operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode (148, also display module 118 is enabled to display content from any module of the

system)**, a digital camera mode** (120) and a camcorder mode (122). Col. 7 line 18 through Col. 8, line 14. **A digital camera, provided in the handheld housing, for capturing at least one of images and video** (Kelly, Col. 6, lines 54- 65)**; the user interface having inputs to operate the digital camera** (Fig. 2, 133,108)**;** and thereby subject to control by McClintock's Fig. 10 for **select**ion by the user and **display** as desired by the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Kelly's invention, in order to allow the user to take pictures of the scenes different than what is offered by other cameras at the venue, to enhance the user's personalized experience.

7.10.1. Regarding claim 34, the system of McClintock and Sony S50 is a video viewer/ player; therefore it does not disclose wherein **the processor operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode, a digital camera mode and a camcorder mode**.

However, Kelly discloses a modular reconfigurable electronic imaging system (Abstract, Fig. 2), where a **processor** (108) **operates in a plurality of modes, wherein the plurality of modes comprises each of a video viewer mode** (148, also display module 118 is enabled to display content from any module of the system)**, a binocular viewer mode** (Col. 6, lines 54-60)**, a digital camera mode** (120) **and a camcorder mode** (122). Col. 7 line 18 through Col. 8, line 14.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Kelly's invention, in order to have a "Swiss Army knife" version of a camcorder, video player, binocular in a compact form to offer the viewer multiple functionalities.

7.10.2. Regarding claim 38, the system of McClintock, Sony S50, and Kelly discloses, **wherein the local and remote events both constitute a common type of sporting events**, as the user decides which channels to tune to via TGV-3, the user is enabled to select a team/ game type (e.g. if they are already at a football game) and the user wants to follow another team, In order to be kept informed of divisional, playoff status, or keep track of rival teams (for office pool!).

7.10.3. Claim 39 is rejected as claim 38, as the user may select any game including **football**.

7.10.4. Regarding claim 44, as analyzed in claim 33, the portable wireless handheld device of McClintock, Sony S50, and Kelly has a digital camera. Digital cameras have optics systems provided **as part of handheld housing to capture images of the event when directed toward the event** at the user's command.

The system of McClintock, Sony S50, and Kelly is not explicit in the optics system **comprising a charge coupled device** (CCD) and **being controlled by the processor to provide a zoom capability**. However the use of CCD in digital cameras was notoriously well known at the time of invention as they provide a lightweight and inexpensive alternative to mechanical movement of the lens for tilt, pan, and **zoom** operation.

8. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over McClintock, in view of Sony S50, further in view of Kelly, in further view of Freeman.

8.1. Regarding claim 23, in the system of McClintock, Sony S50, and Kelly , selection of the camera also selects the audio associated with the said camera and the user is not enabled so that **a user input selectably operable by a user to control the images and sounds provided to the display and audio system**.

However, Freeman, in analogous art, presents the user (via menu controls) with a selection of audio associated with the venue that is then multiplexed with the desired video and sent to the user terminal (Fig. 1, 10, 115, 120; Col. 3, lines 28-32; Col. 6, lines 20- 40; Fig. 2, Col. 7, lines 33- 40).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to modify the system of McClintock and Sony S50 with Freeman's invention, in order to further personalize the content of the program with video, audio, and data selected to match user desires.

Contacts

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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